

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SECURITIES INVESTOR PROTECTION CORPORATION, : : Adv. Proc. No. 08-01789 (SMB)

Plaintiff, : SIPA LIQUIDATION

-against- : (Substantively Consolidated)

**BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,**

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, trustee for the liquidation of Bernard L. Madoff Investment Securities LLC

Adv. Proc. No. 10-04387 (SMB)

Plaintiff.

-against-

JAMES LOWREY, *et al.*,

Defendants.

IRVING H. PICARD, trustee for the liquidation
of Bernard L. Madoff Investment Securities
LLC

Adv. Proc. No. 10-04488 (SMB)

Plaintiff.

-against-

SOUTH FERRY BUILDING CO., *et al.*

Defendants.

-----X-----
IRVING H. PICARD, trustee for the liquidation :
of Bernard L. Madoff Investment Securities :
LLC : Adv. Proc. No. 10-04350 (SMB)
: :
Plaintiff, :
: :
-against- :
: :
SOUTH FERRY #2 LP, *et al.*, :
: :
Defendants. :
-----X-----
IRVING H. PICARD, trustee for the liquidation :
of Bernard L. Madoff Investment Securities :
LLC : Adv. Proc. No. 10-05110 (SMB)
: :
Plaintiff, :
: :
-against- :
: :
UNITED CONGREGATIONS MESORA, *et al.*, :
: :
Defendants. :
-----X-----

ERRATA ORDER

**REPORT AND RECOMMENDATION TO THE DISTRICT COURT TO
GRANT THE PLAINTIFF'S MOTIONS FOR SUMMARY JUDGMENT,
DENY THE DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT
AND ENTER MONEY JUDGMENTS IN FAVOR OF THE PLAINTIFF**

APPEARANCES:

BAKER & HOSTETLER LLP
45 Rockefeller Plaza
New York, NY 10111

David J. Sheehan, Esq.
Keith R. Murphy, Esq.
Nicholas J. Cremona, Esq.
Robertson D. Beckerlegge, Esq.
Elyssa S. Kates, Esq.
Heather J. McDonald, Esq.
Anat Maytal, Esq.

Maximillian S. Shifrin, Esq.
Of Counsel

*Attorneys for Irving H. Picard, Trustee
for the Liquidation of Bernard L. Madoff
Investment Securities LLC*

BAKER & MCKENZIE LLP
815 Connecticut Avenue, N.W.
Washington, D.C. 20006

Richard A. Kirby, Esq.
Laura K. Clinton, Esq.
Graham R. Cronogue, Esq.
Of Counsel

Attorneys for Defendants

SECURITIES INVESTOR PROTECTION CORPORATION
1667 K Street, N.W., Suite 1000
Washington, D.C. 20006

Josephine Wang, Esq.
Kevin H. Bell, Esq.
Nathanael S. Kelley, Esq.
Of Counsel

*Attorneys for Securities Investor Protection
Corporation*

STUART M. BERNSTEIN
United States Bankruptcy Judge:

ORDERED, that the *Report and Recommendation to the District Court to Grant the Plaintiff's Motions For Summary Judgement, Deny the Defendants' Motions For Summary Judgment and Enter Money Judgments In Favor of the Plaintiff*, dated March 22, 2018, be changed as follows:

- A. Page 8, line 21, which states “(see Order, dated Sept. 15, 2008 at ¶ IX (ECF Case No. 08-01789 Doc. #” should be changed to state “(see Order, dated Dec. 15, 2008 at ¶ IX (ECF Case No. 08-01789 Doc. #”;
- B. Page 13, line 21, which states “the New York Uniform Commercial Code (“N.Y.U.C.C.) . . .” should be changed to state “the New York Uniform Commercial Code (“N.Y.U.C.C.”) . . .”;
- C. Page 15, line 16, which states “make as shown the in following chart . . .” should be changed to state “make as shown in the following chart . . .”;

- D. Page 19, line 1, which states "This adversary proceeding was case number 200 on Exhibit A" should be changed to state "This adversary proceeding was case number 176 on Exhibit A"; and
- E. Page 26, line 22, which states "The broker must calculate the amount of the Reserve Account on a weekly basis" should be changed to state "The broker must calculate the amount of the Customer Reserve Account on a weekly basis".

Dated: New York, New York
March 26, 2018

/s/ *Stuart M. Bernstein*
STUART M. BERNSTEIN
United States Bankruptcy Judge